

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 581 - SB 1440**

March 8, 2021

**SUMMARY OF BILL:** Authorizes notification to be published in a newspaper if postal addresses of certain parties cannot be ascertained in conservatorship proceedings. Establishes that the petitioner is responsible for certain court costs, filing fees, and publication costs. Requires that certain examination reports in conservatorship proceedings are confidential and not open for inspection by the public.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 34-1-108, notice is required to be served upon the closest relative or relatives of the respondent. Service by mail sent to the last known address of such persons is sufficient.
- Under this legislation, if, after reasonable effort, a postal address cannot be ascertained, a notification may be published in a newspaper of general circulation in the county where the petition is filed, or if there is no newspaper of general circulation published in the county, notice may be posted at the county courthouse with some circumstantial exceptions.
- Per the language of this legislation, court forms that do not comply may be used until current supplies are exhausted and new forms prepared; therefore, there will not be an increase in expenditures as a result of printing out of circulation.
- Any increase in caseloads to probate courts can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Requiring that certain examination reports in conservatorship proceedings are confidential and not open for inspection by the public will not result in a significant fiscal impact to local government.
- This legislation requires the petitioner to be responsible for the court costs necessary for initiating the proceedings, including filing fees and costs associated with required notices and publication; therefore, there will not be a significant impact to local government expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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